

P26829.A05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shingo KURAMUCHI Confirmation No. 2672  
Appln No. : 09/970,968 Group Art Unit: 2162  
Filed : October 3, 2001 Examiner: J. B. Fleurantin  
For : SYSTEM FOR MANAGING OBJECTS BASED ON POSITION DATA

**APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, Mail Stop Appeal Brief-Patents  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This appeal is from the Examiner's final rejection of claims 1-20 as set forth in the Final Office Action of June 29, 2005. A Notice of Appeal and a Request For Pre-Appeal Brief Review, in response to the June 29, 2005 Final Office Action, was filed on September 29, 2005.

Please charge the requisite fee under 37 C.F.R. 41.20(b)(2) in the amount of \$ 500.00 for the filing of the Appeal Brief to Deposit Account No. 09-0457. No additional fee is believed to be required for filing the instant Appeal Brief. However, if for any reason a necessary fee is required for consideration of the instant paper, authorization is hereby given to charge the fee for the Appeal Brief and any necessary extension of time fees to Deposit Account No. 09-0457.

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**(I) REAL PARTY IN INTEREST**

The real party in interest is International Business Machines Corporation by an assignment recorded in the U.S. Patent and Trademark Office on October 3, 2001, at Reel 012239 and Frame 0074.

**(II) RELATED APPEALS AND INTERFERENCES**

No related appeals and/or interferences are pending.

**(III) STATUS OF THE CLAIMS**

Claims 1-20 stand finally rejected. Claims 1-20 are pending and are part of this appeal. The claims in issue are attached in the "Claims Appendix".

**(IV) STATUS OF THE AMENDMENTS**

An Amendment under 37 C.F.R. § 1.116 was filed August 23, 2005, requesting reconsideration of the finally rejected claims. The Examiner responded with an Advisory Action mailed September 12, 2005, indicating that the Amendment and request for reconsideration was considered, but did not place the application in condition for allowance. Appellant submits that no other amendments after final have been filed; however, all amendments to the claims have been entered.

**(V) SUMMARY OF THE CLAIMED SUBJECT MATTER**

**A. The Claimed Subject Matter**

**1. INDEPENDENT CLAIM 1**

With reference to paragraphs [0041] – [0114] of the instant published application 2002/0059211 and to the figures, and by way of non-limiting example, the invention

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provides for a system for managing (see Fig. 1 and paragraph [0041]) an object (m1) positioned in a management area (see Fig. 4), the system comprising: a host computer (10) for holding a database DB (see Fig. 3 and paragraph [0049]) in which position data (see Figs. 3 and 4) of an object (m1) to be managed is stored in relation to attribute data of the object to be managed (see paragraph [0049]) used for identifying the object (m1) to be managed, the position data including coordinate data comprising starting points "X" and "Y" and end points "X" and "Y" for each object to be managed (see paragraphs [0060] and [0065]); a portable terminal machine (20) configured to specify the object (m1) to be managed, among a plurality of objects (m1) to be managed (see Fig. 4); data communication means (the "means" includes operable portions of e.g., devices 15, 16, 26 and 27) for transferring only a selected database from the host computer (10) to the portable terminal machine (20) so that only information about the object (m1) to be managed and physical surrounding attributes (m2) is transferred to the portable terminal (20) (see paragraphs [0049], [0068], [0069] and [0072]); and an editing means (the editing "means" includes e.g., operable portions of the device 14 and equivalents thereof) for editing the coordinate data of a new object to be managed or when the object to be managed is being moved to a new location (see paragraphs [0070] and [0088]), wherein the portable terminal machine (20) displays (see Fig. 4) a position of the object (m1) to be managed according to the coordinate data in the database (DB) transferred from the host computer (10) to the portable terminal machine (20) and the physical surrounding attributes (m2).

## **2. INDEPENDENT CLAIM 6**

With reference to paragraphs [0041] – [0114] of the instant published application 2002/0059211 and to the figures, and by way of non-limiting example, the invention provides for a retrieval system (see Figs. 1-4), comprising: a host computer (10) including a database (DB in Fig. 3), which database (DB) is output by the host computer (10) on request (see paragraph [0072]), in which retrieval information and position information of objects (m1) to be managed are held in relation to each other (see Fig. 3 and paragraph [0049]); and a portable terminal machine (20) for receiving and storing (see paragraph [0044]) the database (DB) output by the host computer (10); wherein the portable terminal machine (20) includes (see Fig. 2 and paragraphs [0044] – [0047] and [0071] – [0088]): a searching unit (25) for searching the retrieval information in the database (DB) according to a condition specified by a user to identify a match between the retrieval information and the condition, and consequently to specify the position information of a particular object of the objects to be managed (see paragraphs [0046] and [0077] – [0088]); an editing means (the editing “means” includes e.g., operable portions of the device 14 and equivalents thereof) for editing coordinate data of a new object to be managed or when any of the objects (m1) to be managed is moved to a new location (see paragraphs [0070] and [0088]), the coordinate data including starting points “X” and “Y” and ending points “X” and “Y”; and a map display unit (25) for displaying a position where the particular object (m1) is located on a map (see Fig. 4) according to the position information (see paragraphs [0068] and [0069]), the map including physical attributes of both the object (m1) to be managed and attributes of an

environment (see Fig. 4) surrounding the object (m1) to be managed, the attributes of the environment are partitioned (see Fig. 4 and paragraph [0068]).

### **3. INDEPENDENT CLAIM 7**

With reference to paragraphs [0041] – [0114] of the instant published application 2002/0059211 and to the figures, and by way of non-limiting example, the invention provides for a portable position display apparatus (see Figs. 4-9 and paragraph 0044]) for displaying a position of an object (m1) to be managed, comprising: a data storing unit (21) for storing a database (DB) that includes map data used to display a map (Fig. 4) of an area in which the object (m1) to be managed is positioned, position data (paragraph [0069]) used to locate the object (m1) to be managed on the map, and attribute data (see Fig. 3) used to identify the object (m1) to be managed, wherein the position data is stored in relation to the attribute data (see paragraph [0067]); a condition input unit (23) for enabling a user to enter a retrieval condition; a searching unit (25) for searching the database (DB) stored in the data storing unit (21) according to the retrieval condition to identify a match between the attribute data and the retrieval condition and consequently to identify position data of the object (m1) to be managed independent of the portable position display apparatus's position; and a map display unit (25) for displaying a position of the object (m1) to be managed on the map according to the map data and the position data in the database (DB) when a match is identified by the searching unit (25).

### **4. INDEPENDENT CLAIM 10**

With reference to paragraphs [0041] – [0114] of the instant published application

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2002/0059211 and to the figures, and by way of non-limiting example, the invention provides for an apparatus for managing data of an object (m1) to be managed comprising: a database storing unit (11) for storing a database (DB) that includes map data used to display a map of an area (see Fig. 4) in which an object (m1) to be managed is positioned, position data of a display mark that denotes the position of the object (m1) to be managed on the map, and attribute data (see Fig. 3) used to identify the object (m1) to be managed; and a database outputting unit (15) for outputting only a selected portion of the database (DB) to a portable terminal machine (20) in response to a request from the portable terminal machine (20) independent of a position of the portable terminal machine (20) so that only information about the object (m1) to be managed and physical attributes (m2) of a surrounding environment is transferred (see paragraph [0072]) to the portable terminal machine (20).

#### **5. INDEPENDENT CLAIM 13**

With reference to paragraphs [0041] – [0114] of the instant published application 2002/0059211 and to the figures, and by way of non-limiting example, the invention provides for a position display method, comprising the steps of: storing a database (DB) that includes map data used to display an area (see Fig. 4) in which a plurality of objects (m1) to be managed are placed as a map (Fig. 4), position data used to display a position of each of the plurality of objects (m1) to be managed in the area on the map (Fig. 4), and attribute data (see Fig. 3) used to identify each object (m1) to be managed in a locally unique way; prompting a user to specify a specific object to be managed from among the plurality of objects to be managed (see paragraphs [0074] – [0081]);

reading the map data and the position data of the specific object to be managed from the database (see paragraphs [0082] and [0083]); and displaying the position of the specific object to be managed in the area on the map according to the map data and the position data read from the database (see paragraphs [0084]).

## **6. INDEPENDENT CLAIM 17**

With reference to paragraphs [0041] – [0114] of the instant published application 2002/0059211 and to the figures, and by way of non-limiting example, the invention provides for a computer readable storage medium (24) that stores a program to be executed by a computer, the program enabling the computer to execute: a first process for displaying a map (see Fig. 4 and paragraph [0069]) based on map data and on position data of an object (m1) that is positioned and managed in a specific area, wherein the map data and the position data are stored in a database (DB); a second process for drawing a display mark of the object to be managed according to an input from a user that specifies the object to be managed from among a plurality of objects to be managed on the map (see paragraphs [0083], [0096] and [0097]); a third process for obtaining coordinate data of the drawn display mark on the map (see paragraphs [0097] – [0100]); and a fourth process for storing the coordinate data in the database (DB) in relation to entered data of the object (m1) (see paragraph [0068]).

## **(VI) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

**Whether claims 1-20 are improperly rejected under 35 U.S.C.**

**§ 103(a) as unpatentable over U.S. Patent No. 5,867,110 issued to NAITO et al. in view of U.S. Patent No. 6,263,347 issued to KOBAYASHI et al. and**



**further in view of U.S. Patent No. 5,835,916 issued to INAKI et al.**

**Whether claims 7-9, 13-18 and 20 are improperly rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,867,110 issued to NAITO et al. in view of U.S. Patent No. 6,263,347 issued to KOBAYASHI et al.**

**(VII) ARGUMENT RE. 103(a) REJECTIONS**

**REJECTION OF INDEPENDENT CLAIM 1 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

Independent claim 1 recites a host computer for holding a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed. Claim 1 also recites that the position data includes coordinate data comprising starting points "X" and "Y" and end points "X" and "Y" for each object to be managed and a data communication system transfers only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and surrounding environment attributes is transferred to the portable terminal machine. Claim 1 further recites an editing tool for editing the coordinate data of a new object to be managed or when the object to be managed is moved to a new location. The portable terminal machine displays a position of the object to be managed according to the coordinate data in the database transferred from

the host computer to the portable terminal machine and physical attributes of an environment surrounding the object to be managed.

NAITO clearly does not teach these features. NAITO merely discloses a satellite GPS system which communicates position data indicative of the portable display unit's position directly to the portable display unit itself. The portable display unit, in turn, automatically relays this position data to a host server. Upon receipt of the portable display unit's position data, the host server processes the position data to determine what area the portable display unit is in, and uses the processed position data to retrieve predetermined weather, road, and emergency data from a database. Because the retrieved data is based on the portable display unit's position, it corresponds to or identifies real-time events occurring in the portable display unit's geographical area. The system in NAITO neither provides a portable terminal machine that specifies an object to be managed, among a plurality of objects to be managed, as admitted by the Examiner, nor prompts a user to specify a specific object to be managed from among the plurality of objects to be managed.

Appellant emphasizes that NAITO does not disclose or suggest, for example,

1. an editing means for editing the coordinate data of a new object to be managed or when the object to be managed is being moved to a new location;
2. a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed;
3. coordinate data comprising starting points "X" and "Y" and end points "X" and "Y" for each object to be managed; or

4. a data communication means which transfers only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and surrounding environment attributes is transferred to the portable terminal.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO.

KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a portable remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45 (see Fig. 3). KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing (see col. 9, line 46 to col. 12, line 59). KOBAYASHI does not, however, disclose or suggest a system that is designed to maintain or manage objects, as defined in the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

On page 4 of the Final Office Action, the Examiner alleges that KOBAYASHI discloses creating on the portable terminal an item definition database which defines record attributes, an object storage database which stores object data on a record basis correspondingly to the item definition database, a relation definition database which defines relation among object data stored in the object storage database and definition database which defines among the respective databases created, and that such disclosure can be found on col. 5, lines 6-40 of KOBAYASHI. Appellant respectfully

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disagrees. KOBAYASHI merely shows that the DB40 of the portable remote terminal 11 is composed of a data base definition DB41, an item definition DB42, a relation definition DB43, a user's selection item DB44 and an object storage DB (45a, 45b, 45c, . . . 45n). These features are merely used to create a database and allow for communication between a remote terminal and a host computer, e.g., personal computer. The objects discussed in KOBAYASHI are not objects to be managed in a physical space. The disclosed objects are not associated or even remotely suggested in KOBAYASHI to be modified for managing objects based on position data. The only position, even remotely suggested in KOBAYASHI, is that of the physical location of the objects within the database. This is obvious from a fair reading of the entire disclosure of KOBAYASHI.

Appellant submits that the Examiner has clearly misconstrued the disclosure of KOBAYASHI. For example, as exemplified by the following language on col. 12, lines 41-59, KOBAYASHI merely discloses using a link between a computer and a portable terminal so that the terminal can selectively take and use the data therefrom.

As described in the foregoing, the present embodiment enables the portable remote terminal 11 to arbitrarily take out a part of data items of the host DB22 of the personal computer 10 and conduct data editing (display/modification/input). When a user brings out and uses the portable remote terminal 11 at his or her destination, therefore, effective use of data is possible.

As described in the foregoing, the system for linking data between a personal computer and a portable remote terminal of the present invention and the data linking method therefor attain the following effects.

First, the processing of taking in data from the personal computer into the portable remote terminal and the processing of synchronizing the portable remote terminal with the personal computer can be executed in a short time

period because only the data that needs to be brought out from a data base of the computer by the portable remote terminal is selectable.

Secondly, quick application of data is enabled by selectively taking in data that needs to be brought out from a data base of the computer by the portable remote terminal.

Thirdly, since the order of displayed items or display/non-display of data brought out into the portable remote terminal can be changed by a user as required, efficient use of data is possible.

INAKI fails to cure the above-noted deficiencies of NAITO and KOBAYASHI.

First, INAKI is entirely unrelated to the field of Appellant's invention or to the fields of NAITO and KOBAYASHI. In particular, INAKI relates to a document preparing apparatus which is capable of relocating cells of a table (see col. 1, lines 9-13). This document has nothing whatsoever to do with a system that is designed to maintain or manage objects or with regard to linking terminals to a host computer in order generate a map indicating terminal locations and fixed items. Second, the Examiner is not correct that col. 4, lines 40-46 of INAKI teaches the recited data coordinate points (see page 5 of the Final Office Action). This language merely states the following:

The element manager 4 manages data SX, SY, EX and EY indicating a specified range for an object, and data T indicating the type of the object, such data is referred to as object management data OD and is shown in FIG. 2. The specified object range data SX, SY, EX and EY are represented by data on the coordinates for the start points X and Y and data on the coordinates for the end points X and Y.

Such language relates to a disclosed way of storing data on an element manager and has nothing to do with position data for each object to be managed. The Examiner has simply misconstrued the language in INAKI.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least independent claim 1.

**REJECTION OF INDEPENDENT CLAIM 6 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

Independent claim 6 recites a host computer for holding a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed. Claim 6 also recites a map display unit utilized for displaying a position where the particular object is located on a map according to the position information, wherein the map includes physical attributes of both the object to be managed and attributes of an environment surrounding the object to be managed. Claim 6 further recites an editing tool for editing the coordinate data of a new object to be managed or when the object to be managed is moved to a new location. The portable terminal machine displays a position of the object to be managed according to the coordinate data in the database transferred from the host computer to the portable terminal machine and physical attributes of an environment surrounding the object to be managed. Additionally, claim 6 recites that the physical attributes can be partitioned.

NAITO clearly does not teach these features. Again, NAITO merely discloses a

satellite GPS system which communicates position data indicative of the portable display unit's position directly to the portable display unit itself. The portable display unit, in turn, automatically relays this position data to a host server. Upon receipt of the portable display unit's position data, the host server processes the position data to determine what area the portable display unit is in, and uses the processed position data to retrieve predetermined weather, road, and emergency data from a database. Because the retrieved data is based on the portable display unit's position, it corresponds to or identifies real-time events occurring in the portable display unit's geographical area. The system in NAITO neither provides a portable terminal machine that specifies an object to be managed, among a plurality of objects to be managed, as admitted by the Examiner, nor prompts a user to specify a specific object to be managed from among the plurality of objects to be managed.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO. Again, KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a portable remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45 (see Fig. 3). KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing (see col. 9, line 46 to col. 12, line 59). KOBAYASHI does not, however, disclose or suggest a system that is designed to maintain or manage

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objects, as defined in the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

On page 8 of the Final Office Action, the Examiner alleges that KOBAYASHI discloses specifying the position information of a particular object of the objects to be managed and creating on the portable terminal an item definition database which defines record attributes, an object storage database which stores object data on a record basis correspondingly to the item definition database, a relation definition database which defines relation among object data stored in the object storage database and definition database which defines among the respective databases created, and that such disclosure can be found on col. 5, lines 6-40 of KOBAYASHI. Appellant respectfully disagrees. As explained above, KOBAYASHI merely shows that the DB40 of the portable remote terminal 11 is composed of a data base definition DB41, an item definition DB42, a relation definition DB43, a user's selection item DB44 and an object storage DB (45a, 45b, 45c, . . . 45n). These features are merely used to create a database and allow for communication between a remote terminal and a host computer, e.g., personal computer. The objects discussed in KOBAYASHI are not objects to be managed in a physical space. The disclosed objects are not associated or even remotely suggested in KOBAYASHI to be modified for managing objects based on position data. The only position, even remotely suggested in KOBAYASHI, is that of the physical location of the objects within the database. This is obvious from a fair reading of the entire disclosure of KOBAYASHI.

INAKI fails to cure the above-noted deficiencies of NAITO and KOBAYASHI. As



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explained above, INAKI is entirely unrelated to the field of Appellant's invention or to the fields of NAITO and KOBAYASHI. INAKI merely relates to a document preparing apparatus which is capable of relocating cells of a table (see col. 1, lines 9-13). This document has nothing whatsoever to do with a system that is designed to maintain or manage objects or with regard to linking terminals to a host computer in order generate a map indicating terminal locations and fixed items. Nor is the Examiner correct that col. 4, lines 40-46 of INAKI teaches the recited data coordinate points (see page 5 of the Final Office Action). This language merely states the following:

The element manager 4 manages data SX, SY, EX and EY indicating a specified range for an object, and data T indicating the type of the object, such data is referred to as object management data OD and is shown in FIG. 2. The specified object range data SX, SY, EX and EY are represented by data on the coordinates for the start points X and Y and data on the coordinates for the end points X and Y.

Such language relates to a disclosed way of storing data on an element manager and has nothing to do with position data for each object to be managed. The Examiner has simply misconstrued the language in INAKI.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least independent claim 6.

**REJECTIONS OF INDEPENDENT CLAIM 7 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to

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reject this claim should be reversed, and the application should be remanded to the Examiner.

The additional rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

Independent claim 7 recites a searching unit for searching the database stored in the data storing unit according to the retrieval condition to identify a match between the attribute data and the retrieval condition and consequently to identify position data of the object to be managed independent of the portable position display apparatus's position.

NAITO clearly does not teach these features. As explained above, NAITO merely discloses a satellite GPS system which communicates position data indicative of the portable display unit's position directly to the portable display unit itself. The portable display unit, in turn, automatically relays this position data to a host server. Upon receipt of the portable display unit's position data, the host server processes the position data to determine what area the portable display unit is in, and uses the processed position data to retrieve predetermined weather, road, and emergency data from a database. Because the retrieved data is based on the portable display unit's position, it corresponds to or identifies real-time events occurring in the portable display unit's geographical area. The system in NAITO simply does not disclose a portable terminal machine that specifies an object to be managed as recited in claim 7.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO. Again, KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a portable remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45 (see Fig. 3). KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing (see col. 9, line 46 to col. 12, line 59). KOBAYASHI does not, however, disclose or suggest a system that is designed to maintain or manage objects, as defined in the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

On pages 16 and 17 of the Final Office Action, the Examiner alleges that KOBAYASHI discloses identifying the position data of the object to be managed independent of the position of the portable display apparatus and creating on the portable terminal an item definition database which defines record attributes, an object storage database which stores object data on a record basis correspondingly to the item definition database, a relation definition database which defines relation among object data stored in the object storage database and definition database which defines among the respective databases created, and that such disclosure can be found on col. 5, lines 6-40 of KOBAYASHI. Appellant respectfully disagrees. As explained above, KOBAYASHI merely shows that the DB40 of the portable remote terminal 11 is

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composed of a data base definition DB41, an item definition DB42, a relation definition DB43, a user's selection item DB44 and an object storage DB (45a, 45b, 45c, . . . 45n).

These features are merely used to create a database and allow for communication between a remote terminal and a host computer, e.g., personal computer. The objects discussed in KOBAYASHI are not objects to be managed in a physical space. The disclosed objects are not associated or even remotely suggested in KOBAYASHI to be modified for managing objects based on position data. The only position, even remotely suggested in KOBAYASHI, is that of the physical location of the objects within the database. This is obvious from a fair reading of the entire disclosure of KOBAYASHI.

INAKI fails to cure the above-noted deficiencies of NAITO and KOBAYASHI. As explained above, INAKI is entirely unrelated to the field of Appellant's invention or to the fields of NAITO and KOBAYASHI. INAKI merely relates to a document preparing apparatus which is capable of relocating cells of a table (see col. 1, lines 9-13). This document has nothing whatsoever to do with a system that is designed to maintain or manage objects or with regard to linking terminals to a host computer in order generate a map indicating terminal locations and fixed items.

Appellant emphasizes that claim 7 specifically recites that position data of an object to be managed is retrieved independent of the portable terminal machine's position or user. In other words, the retrieved position data does not correspond to a location of the portable terminal machine or user, but rather corresponds to a location of an object to be managed that was specified by a user from among a plurality of objects

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to be managed. The system in NAITO, on the other hand, is dependent on the position of its portable display unit. For example, NAITO discloses receiving the portable display unit's position data and processing that data to retrieve predetermined map, weather, and emergency data from a database connected to the host server (see col. 9, lines 1-44). In NAITO, it is absolutely necessary for the system to know the position of the portable terminal or display. For without this information, NAITO cannot retrieve map, weather or emergency data from the database, associated with the location of the portable terminal. This is contrary to the invention recited in claim 7, which recites that the information retrieved is independent of the location of the portable terminal machine (or user).

Finally, there is no apparent basis or motivation for modifying NAITO in view of the teachings of KOBAYASHI. First, NAITO requires the information to be dependent on the position of the remote terminal. No proper combination of these documents can change this aspect of the system in NAITO. Clearly, by trying to make the information independent on the location of the terminal, in NAITO, the system would not work in the manner described by NAITO. Thus, there is a teaching away from the combination suggested by the Examiner.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least independent claim 7.

**REJECTION OF INDEPENDENT CLAIM 10 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

Independent claim 10 recites a host computer for holding a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed. Claim 10 also recites that the database outputting unit outputs only a selected portion of the database to a portable terminal machine so that only information about the object to be managed and physical attributes of a surrounding environment is transferred to the portable terminal.

NAITO clearly does not teach these features. Again, NAITO merely discloses a satellite GPS system which communicates position data indicative of the portable display unit's position directly to the portable display unit itself. The portable display unit, in turn, automatically relays this position data to a host server. Upon receipt of the portable display unit's position data, the host server processes the position data to determine what area the portable display unit is in, and uses the processed position data to retrieve predetermined weather, road, and emergency data from a database. Because the retrieved data is based on the portable display unit's position, it corresponds to or identifies real-time events occurring in the portable display unit's geographical area.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO.

Again, KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a portable remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45 (see Fig. 3). KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing (see col. 9, line 46 to col. 12, line 59). KOBAYASHI does not, however, disclose or suggest a system that is designed to maintain or manage objects, as defined in the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

INAKI fails to cure the above-noted deficiencies of NAITO and KOBAYASHI. As explained above, INAKI is entirely unrelated to the field of Appellant's invention or to the fields of NAITO and KOBAYASHI. INAKI merely relates to a document preparing apparatus which is capable of relocating cells of a table (see col. 1, lines 9-13). This document has nothing whatsoever to do with a system that is designed to maintain or manage objects or with regard to linking terminals to a host computer in order generate a map indicating terminal locations and fixed items.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least independent claim 10.

**REJECTION OF INDEPENDENT CLAIM 13 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 13 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

The additional rejection of claim 13 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

Independent claim 13 recites, in pertinent part, displaying the position of the specific object to be managed in the area on the map according to the map data and the position data read from the database. Appellant submits that no proper combination of NAITO, KOBAYASHI and INAKI disclose or suggest these features.

As explained above, NAITO merely discloses receiving the portable display unit's position data and processing that data to retrieve predetermined map, weather, and emergency data from a database connected to the host server, and is silent with regard to a second process for drawing on the map a display mark of the object to be managed according to an input from a user that specifies the object to be managed from among a plurality of objects to be managed.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO. Again, KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a



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portable remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45 (see Fig. 3). KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing (see col. 9, line 46 to col. 12, line 59). KOBAYASHI does not, however, disclose or suggest a system that is designed to maintain or manage objects, as defined in the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

There is no indication in NAITO or KOBAYASHI to display the actual object on a display, e.g., a computer for example. In fact, KOBAYASHI does not even go as far as to disclose the use of displaying any objects to be managed, in accordance and as defined by the claimed invention. KOBAYASHI is instead directed to management of the database, itself. NAITO, on the other hand, is only concerned with the display of emergency information, road conditions, etc., but does not display the location of the device on a display, much less in any coordinate system, display area or management of such devices.

Finally, as indicated above, INAKI merely relates to a document preparing apparatus and is entirely unrelated to the subject matter of the instant invention. NAITO, KOBAYASHI and INAKI simply are not directed to maintaining or managing devices or objects.

Because the combination of the above-noted documents fails to disclose, or

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even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least independent claim 13.

**REJECTION OF INDEPENDENT CLAIM 17 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 17 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

The additional rejection of claim 17 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

Independent claim 17 recites, in pertinent part, a second process for drawing on the map a display mark of the object to be managed according to an input from a user that specifies the object to be managed from among a plurality of objects to be managed. Appellant submits that no proper combination of NAITO, KOBAYASHI and INAKI disclose or suggest these features.

As explained above, NAITO merely discloses receiving the portable display unit's position data and processing that data to retrieve predetermined map, weather, and emergency data from a database connected to the host server, and is silent with regard to a second process for drawing on the map a display mark of the object to be managed according to an input from a user that specifies the object to be managed

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from among a plurality of objects to be managed.

KOBAYASHI does not compensate for or cure these deficiencies of NAITO. Again, KOBAYASHI discloses a system for linking data between a computer and a portable remote terminal enabling data extracted from a personal computer into a portable remote terminal to be edited and applied freely. The system of KOBAYASHI describes data base definitions, such as, for example, (a) Data Base Definitions DB41; (b) Item Definition DB42; (c) Relation Definition DB43; (d) User's Selection Item DB44; and (e) Object Storage DB45 (see Fig. 3). KOBAYASHI also describes an Initialization Processing, Data Editing on the Portable Remote Terminal, Synchronous Processing, and Data Display Item Editing (see col. 9, line 46 to col. 12, line 59). KOBAYASHI does not, however, disclose or suggest a system that is designed to maintain or manage objects, as defined in the claimed invention. The only similarities with KOBAYASHI and the claimed invention is the use of a database and a remote terminal.

There is no indication in NAITO or KOBAYASHI to display the actual object on a display, e.g., a computer for example. In fact, KOBAYASHI does not even go as far as to disclose the use of displaying any objects to be managed, in accordance and as defined by the claimed invention. KOBAYASHI is instead directed to management of the database, itself. NAITO, on the other hand, is only concerned with the display of emergency information, road conditions, etc., but does not display the location of the device on a display, much less in any coordinate system, display area or management of such devices.

Finally, as indicated above, INAKI merely relates to a document preparing

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apparatus and is entirely unrelated to the subject matter of the instant invention.

NAITO, KOBAYASHI and INAKI simply are not directed to maintaining or managing devices or objects.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least independent claim 17.

**REJECTION OF DEPENDENT CLAIM 2 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On pages 5 and 6 of the Final Office Action, the Examiner cites col. 10, lines 28-34 of NAITO as disclosing the recited searching unit for searching the database according to the retrieval condition to obtain the position data from the database when the attribute data of the object to be managed matches the retrieval condition.

Appellant respectfully disagrees. The cited language merely discloses the searching of data “based upon the shelter route information data 207 to obtain the intersection position data 402, 403 in association with the road identification number contained in the shelter route information data 207.” Appellant also submits that dependent claim 2 is allowable at least for the reason that this claim depends from allowable claim 1.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 2.

**REJECTION OF DEPENDENT CLAIM 3 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 3 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On page 6 of the Final Office Action, the Examiner cites col. 10, lines 44-55 of NAITO as disclosing that the portable terminal includes a synchronization unit for synchronizing data in the database stored in the data storing unit of the portable terminal machine with data in the database held in the host computer.

Appellant respectfully disagrees. The cited language merely discloses the following:

Based upon the supplied first and second text information data, the display unit 22 displays on the screen thereof a text corresponding to the text information data, and, based upon the supplied intersection position data, displays on the screen thereof an image of a map in which the impassable road sections and the route toward the shelter are specified. In this embodiment, in the map displayed on the screen of the display unit 22, one end of the route towards the shelter is assigned to the current position of the portable terminal or position near thereto based of the shelter route information data 207. As a result the user of the portable terminal 12 can more easily understand the route towards the shelter.

The Examiner has failed to explain how such language even remotely discloses

or suggests that the portable terminal includes a synchronization unit for synchronizing data in the database stored in the data storing unit of the portable terminal machine with data in the database held in the host computer. Appellant also submits that dependent claim 3 is allowable at least for the reason that this claim depends from allowable claim 1.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 3.

**REJECTION OF DEPENDENT CLAIM 4 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 4 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On page 6 of the Final Office Action, the Examiner cites col. 10, lines 44-55 of NAITO as disclosing that the host computer includes a data synchronization unit for synchronizing data in the database stored in the data storing unit of the portable terminal machine with data in the database held in the host computer.

Appellant respectfully disagrees. Again, the cited language merely discloses the following:

Based upon the supplied first and second text information data, the display unit 22 displays on the screen thereof a text corresponding to the text information data, and, based upon the supplied intersection position data, displays on the

screen thereof an image of a map in which the impassable road sections and the route toward the shelter are specified. In this embodiment, in the map displayed on the screen of the display unit 22, one end of the route towards the shelter is assigned to the current position of the portable terminal or position near thereto based of the shelter route information data 207. As a result the user of the portable terminal 12 can more easily understand the route towards the shelter.

The Examiner has failed to explain how such language even remotely discloses or suggests that a host computer includes a data synchronization unit for synchronizing data in the database stored in the data storing unit of the portable terminal machine with data in the database held in the host computer. Appellant also submits that dependent claim 4 is allowable at least for the reason that this claim depends from allowable claim 1.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 4.

**REJECTION OF DEPENDENT CLAIM 5 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 5 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On page 6 of the Final Office Action, the Examiner cites col. 1, line 65 to col. 2, line 20 of NAITO as disclosing that the object to be managed is a computer.

Appellant respectfully disagrees. Again, the cited language merely discloses the

following:

The above and other objects of the present invention are accomplished by an information reporting system comprising a communication host apparatus including a database storing a plurality of data sets each concerning a predetermined position, and a host computer capable of accessing the database and connecting with the communication network, and at least one portable terminal including communication means capable of connecting with the communication network, data processing means for executing predetermined processing based upon data received through the communication means, and display means for displaying images based upon data obtained by the data processing, the portable terminal further including current position detecting means for detecting its current position and being adapted to cause the communication means to transmit the position information data indicative of the current position detected by the current position detecting means to the communication host apparatus via the communication network, and the host computer of the communication host apparatus being responsive to the position information data received from the portable terminal to retrieve from the database a data set concerning the position and supplying it to the portable terminal via the communication network.

The Examiner has failed to explain how such language even remotely discloses or suggests that the object to be managed is a computer. Appellant also submits that dependent claim 4 is allowable at least for the reason that this claim depends from allowable claim 1.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 5.

**REJECTION OF DEPENDENT CLAIM 9 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to



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reject this claim should be reversed, and the application should be remanded to the Examiner.

The additional rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On pages 17 and 18 of the Final Office Action, the Examiner cites col. 10, lines 44-55 of NAITO as disclosing that the portable display apparatus of claim 7 further includes a management information display unit for displaying management information of the object to be managed according to the attribute data in the database when the searching unit identifies the match.

Appellant respectfully disagrees. Again, the cited language merely discloses the following:

Based upon the supplied first and second text information data, the display unit 22 displays on the screen thereof a text corresponding to the text information data, and, based upon the supplied intersection position data, displays on the screen thereof an image of a map in which the impassable road sections and the route toward the shelter are specified. In this embodiment, in the map displayed on the screen of the display unit 22, one end of the route towards the shelter is assigned to the current position of the portable terminal or position near thereto based on the shelter route information data 207. As a result the user of the portable terminal 12 can more easily understand the route towards the shelter.

The Examiner has failed to explain how such language even remotely discloses or suggests that the portable display apparatus of claim 7 further includes a management information display unit for displaying management information of the

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object to be managed according to the attribute data in the database when the searching unit identifies the match. Appellant also submits that dependent claim 4 is allowable at least for the reason that this claim depends from allowable claim 7.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 9.

**REJECTION OF DEPENDENT CLAIM 11 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 11 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On pages 10 and 11 of the Final Office Action, the Examiner cites col. 4, line 55 to col. 5, line 3 of NAITO as disclosing that the apparatus of claim 10 further includes, among other things, a mark drawing unit for enabling a user to draw a display mark on the map displayed by the map display unit.

Appellant respectfully disagrees. The cited language merely discloses the following:

a current position detecting unit 28 including a global positioning system (GPS) receiving device for detecting the current position of the portable terminal 12, and a database 32, constituted by a read only memory (ROM), an IC card or the like, which stores predetermined information. GPS is a system for detecting current position used by "a vehicle management apparatus" disclosed in Japanese Patent Application laid open No. 6-236211, and PHS is a radio telecommunication system of Nippon Telegraph and Telephone Corporation

(NTT).

When a user touches the touch panel (not shown), the input device 20 detects the operation and provides the data processing unit 24 with instructions or data input by the user.

The display unit 22 displays on a display screen thereof images corresponding to the results of data processing by the data processing unit 24

The Examiner has failed to explain how such language even remotely discloses or suggests that the apparatus of claim 10 further includes, among other things, a mark drawing unit for enabling a user to draw a display mark on the map displayed by the map display unit. Appellant also submits that dependent claim 11 is allowable at least for the reason that this claim depends from allowable claim 10.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 10.

**REJECTION OF DEPENDENT CLAIM 12 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 12 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On page 11 of the Final Office Action, the Examiner cites col. 9, lines 51-54 of NAITO as disclosing that the apparatus of claim 10 further includes, among other things, that when the display mark is drawn by the mark drawing unit, the map display unit displays a reference line created on the map in response to a fixed item in the area in

which the object to be managed is positioned.

Appellant respectfully disagrees. The cited language merely discloses the following:

terminal 12 (STEP 702), it refers to the retrieval key table 201 in the database 52 to determine the longitude and latitude ranges defining an area in which the position corresponding to the received position information data falls

The Examiner has failed to explain how such language even remotely discloses or suggests that the apparatus of claim 10 further includes, among other things, that when the display mark is drawn by the mark drawing unit, the map display unit displays a reference line created on the map in response to a fixed item in the area in which the object to be managed is positioned. Appellant also submits that dependent claim 12 is allowable at least for the reason that this claim depends from allowable claims 10 and 11.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 12.

**REJECTION OF DEPENDENT CLAIM 16 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 16 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

The additional rejection of claim 16 under 35 U.S.C. § 103(a) as being

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unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On page 13 of the Final Office Action, the Examiner cites col. 2, lines 39-41 of NAITO as disclosing that the host computer updates the database at predetermined times.

Appellant respectfully disagrees. The cited language merely discloses the following:

position information data indicative of the current position of the portable terminal to the communication host apparatus.

The Examiner has failed to explain how such language even remotely discloses or suggests that the host computer updates the database at predetermined times. Appellant also submits that dependent claim 16 is allowable at least for the reason that this claim depends from allowable claims 13-15.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 16.

**REJECTION OF DEPENDENT CLAIM 18 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 18 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the

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Examiner.

The additional rejection of claim 18 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On pages 14 and 21 of the Final Office Action, the Examiner cites col. 1, line 67 to col. 2, line 3 and col. 10, lines 26-28 of NAITO as disclosing that the program further enables the computer to execute a process for presenting a list of objects to be managed, read from the database, so as to prompt the user to specify a particular object to be managed and to be stored in relation to the coordinate data in the fourth process.

Appellant respectfully disagrees. The cited language merely discloses the following:

a communication host apparatus including a database storing a plurality of data sets each concerning a predetermined position, and a host computer capable of accessing the database and connecting with the communication

the screen of the display unit 22 so as to read out appropriate map data from the map database. Furthermore, the data processing unit 24 retrieves the data in the second database

The Examiner has failed to explain how such language even remotely discloses or suggests that the program further enables the computer to execute a process for presenting a list of objects to be managed, read from the database, so as to prompt the user to specify a particular object to be managed and to be stored in relation to the coordinate data in the fourth process. Appellant also submits that dependent claim 18

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is allowable at least for the reason that this claim depends from allowable claim 17.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 18.

**REJECTION OF DEPENDENT CLAIM 19 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 19 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On pages 14 and 15 of the Final Office Action, the Examiner cites col. 5, lines 6-40 of KOBAYASHI as disclosing that the portable terminal machine is configured to input object information for managing the object to be managed independent of the position of the portable terminal machine and the object to be managed.

Appellant respectfully disagrees. The cited language merely discloses the following:

with respect to object data to be brought out into the portable remote terminal which is selected from the host data base and a record item of the object data, creating, on the portable remote terminal, an item definition data base which defines a record attribute, an object storage data base which stores object data on a record basis correspondingly to the item definition data base, a relation definition data base which defines relations among object data stored in the object storage data base and a definition data base which defines relations among the respective data bases created, on the basis of a record taken out from the host data base, writing data into the corresponding one of the object storage data bases according to the item definition data base, and

conducting synchronous processing of reading updated data from the object storage data base of the portable remote terminal and writing the data into the host data base of the computer,  
on the side of the portable remote terminal  
when a record item of the object storage data base refers to other the object storage data base, conducting link data solution processing based on a record attribute of the item definition data base, and  
when the display order of object data of the object storage data base is changed or when existence/non-existence of display is selected, changing the display order of object data of the item definition data base or an attribute indicative of existence/non-existence of display according to the contents of the change or the selection, and  
on the computer, reading an updated record from the object storage data base of the portable remote terminal to update the host data base of the computer.  
Other objects, features and advantages of the present invention will become clear from the detailed description given herebelow.

The Examiner has failed to explain how such language even remotely discloses or suggests that the portable terminal machine is configured to input object information for managing the object to be managed independent of the position of the portable terminal machine and the object to be managed. Appellant also submits that dependent claim 19 is allowable at least for the reason that this claim depends from allowable claim 1.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 19.

**REJECTION OF DEPENDENT CLAIM 20 UNDER 35 U.S.C. § 103 IS IN ERROR**

The rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI and INAKI is in error, the decision of the Examiner to



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reject this claim should be reversed, and the application should be remanded to the Examiner.

The additional rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable over NAITO in view of KOBAYASHI is in error, the decision of the Examiner to reject this claim should be reversed, and the application should be remanded to the Examiner.

On pages 21, 11 and 12 of the Final Office Action, the Examiner cites col. 2, lines 28-34 and col. 10, lines 26-28 of NAITO as disclosing that the user specifies an object to be managed independent of the user's position relative to the object to be managed.

Appellant respectfully disagrees. The cited language merely discloses the following:

The data processing means executes predetermined data processing based upon the information received from the host computer, and the display means displays an image corresponding to data obtained by the data processing on the screen thereof. Consequently, the user of the portable terminal can obtain appropriate information regarding circumstances at his or her location.

the screen of the display unit 22 so as to read out appropriate map data from the map database. Furthermore, the data processing unit 24 retrieves the data in the second database

The Examiner has failed to explain how such language even remotely discloses or suggests that the user specifies an object to be managed independent of the user's position relative to the object to be managed. Appellant also submits that dependent claim 20 is allowable at least for the reason that this claim depends from allowable claim 13.

Because the combination of the above-noted documents fails to disclose, or even suggest, at least the above-noted features of the instant invention, Appellant

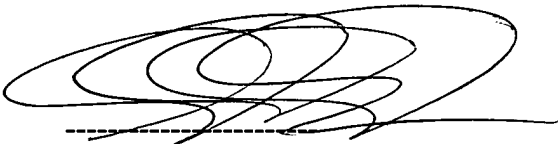
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submits that no proper combination of these documents renders unpatentable the combination of features recited in at least dependent claim 20.

**(VIII) CONCLUSION**

Each of claims 1-20 are patentable under 35 U.S.C. § § 102(b) and 103(a). Specifically, the applied art of record, even in properly combined, fails to disclose or suggest the unique combination of features recited in Appellant's claims 1-20. Accordingly, Appellant respectfully requests that the Board reverse the decision of the Examiner to reject claims 1-20 under 35 U.S.C. §103(a), and remand the application to the Examiner for withdrawal of the above-noted rejections.

Respectfully submitted,  
Shingo KURAMOCHI

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', is written over a horizontal dashed line.

Andrew M. Calderon  
Reg. No. 38,093

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Attachments: Claims Appendix, Evidence Appendix, and Related Proceedings Appendix

CLAIMS ON APPEAL

1. A system for managing an object positioned in a management area, the system comprising

a host computer for holding a database in which position data of an object to be managed is stored in relation to attribute data of the object to be managed used for identifying the object to be managed, the position data including coordinate data comprising starting points "X" and "Y" and end points "X" and "Y" for each object to be managed;

a portable terminal machine configured to specify the object to be managed, among a plurality of objects to be managed;

data communication means for transferring only a selected database from the host computer to the portable terminal machine so that only information about the object to be managed and physical surrounding attributes is transferred to the portable terminal; and

an editing means for editing the coordinate data of a new object to be managed or when the object to be managed is being moved to a new location,

wherein the portable terminal machine displays a position of the object to be managed according to the coordinate data in the database transferred from the host computer to the portable terminal machine and the physical surrounding attributes.

2. The system of claim 1, wherein the portable terminal machine includes:

a data storing unit for storing the database transferred from the host computer;

a condition inputting unit for entering a retrieval condition; and

a searching unit for searching the database according to the retrieval condition to obtain the position data from the database when the attribute data of the object to be managed matches the retrieval condition.

3. The system of claim 1, wherein the portable terminal machine includes a data synchronization unit for synchronizing data in the database stored in the data storing unit of the portable terminal machine with data in the database held in the host computer.

4. The system of claim 1, wherein the host computer includes a data synchronization unit for synchronizing data in the database stored in the data storing unit of the portable terminal machine with data in the database held in the host computer.

5. The system of claim 1, wherein the object to be managed is a computer.

6. A retrieval system, comprising:

a host computer including a database, which database is output by the host computer on request, in which retrieval information and position information of objects to be managed are held in relation to each other; and

a portable terminal machine for receiving and storing the database output by the host computer;

wherein the portable terminal machine includes: a searching unit for searching the retrieval information in the database according to a condition specified by a user to identify a match between the retrieval information and the condition, and consequently to specify the position information of a particular object of the objects to be managed; an editing means for editing coordinate data of a new object to be managed or when any of the objects to be managed is moved to a new location, the coordinate data including starting points "X" and "Y" and ending points "X" and "Y"; and a map display unit for displaying a position where the particular object is located on a map according to the position information, the map including physical attributes of both the object to be managed and attributes of an environment surrounding the object to be managed, the attributes of the environment are partitioned.

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7. A portable position display apparatus for displaying a position of an object to be managed, comprising:

a data storing unit for storing a database that includes map data used to display a map of an area in which the object to be managed is positioned, position data used to locate the object to be managed on the map, and attribute data used to identify the object to be managed, wherein the position data is stored in relation to the attribute data;

a condition input unit for enabling a user to enter a retrieval condition;

a searching unit for searching the database stored in the data storing unit according to the retrieval condition to identify a match between the attribute data and the retrieval condition and consequently to identify position data of the object to be managed independent of the portable position display apparatus's position; and

a map display unit for displaying a position of the object to be managed on the map according to the map data and the position data in the database when a match is identified by the searching unit.

8. The apparatus of claim 7, further including a data receiving unit for receiving the database.

9. The apparatus of claim 7, further including a management information display unit for displaying management information of the object to be managed according to the attribute data in the database when the searching unit identifies the match.

10. Apparatus for managing data of an object to be managed; comprising:

a database storing unit for storing a database that includes map data used to display a map of an area in which an object to be managed is positioned, position data of a display mark that denotes the position of the object to be managed on the map, and attribute data used to identify the object to be managed; and

a database outputting unit for outputting only a selected portion of the database

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to a portable terminal machine in response to a request from the portable terminal machine independent of a position of the portable terminal machine so that only information about the object to be managed and physical attributes of a surrounding environment is transferred to the portable terminal machine.

11. The apparatus of claim 10, further including:

a map display unit for displaying the map according to the map data in the database;

a mark drawing unit for enabling a user to draw a display mark on the map displayed by the map display unit;

a coordinate obtaining unit for obtaining coordinates of the display mark drawn by the mark drawing unit; and

a data storing unit for storing the coordinate data in the database as the position data of the display mark.

12. The apparatus of claim 11, wherein the map display unit, when the display mark is drawn by the mark drawing unit, displays a reference line created on the map in response to a fixed item in the area in which the object to be managed is positioned.

13. A position display method, comprising the steps of:

storing a database that includes map data used to display an area in which a plurality of objects to be managed are placed as a map, position data used to display a position of each of the plurality of objects to be managed in the area on the map, and

attribute data used to identify each object to be managed in a locally unique way; prompting a user to specify a specific object to be managed from among the plurality of objects to be managed;

reading the map data and the position data of the specific object to be managed from the database; and

displaying the position of the specific object to be managed in the area on the

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map according to the map data and the position data read from the database.

14. The method of claim 13, wherein the database is received from a host computer and stored in the database storing step.

15. The method of claim 14, wherein the database is updated by the host computer.

16. The method of claim 15, wherein the host computer updates the database at predetermined times.

17. A computer readable storage medium that stores a program to be executed by a computer, the program enabling the computer to execute:

- a first process for displaying a map based on map data and on position data of an object that is positioned and managed in a specific area, wherein the map data and the position data are stored in a database;

- a second process for drawing a display mark of the object to be managed according to an input from a user that specifies the object to be managed from among a plurality of objects to be managed on the map;

- a third process for obtaining coordinate data of the drawn display mark on the map; and

- a fourth process for storing the coordinate data in the database in relation to entered data of the object.

18. The computer readable storage medium of claim 17, wherein the program further enables the computer to execute a process for presenting a list of objects to be managed, read from the database, so as to prompt the user to specify a particular object to be managed and to be stored in relation to the coordinate data in the fourth process.

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19. The system of claim 1, wherein the portable terminal machine is configured to input object information for managing the object to be managed independent of the position of the portable terminal machine and the object to be managed.

20. The position display method of claim 13, wherein a the user specifies an object to be managed independent of the user's position relative to the object to be managed.



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**EVIDENCE APPENDIX**

This section lists evidence submitted pursuant to 35 U.S.C. §§1.130, 1.131, or 1.132, or any other evidence entered by the Examiner and relied upon by Appellant in this appeal, and provides for each piece of evidence a brief statement setting forth where in the record that evidence was entered by the Examiner. Copies of each piece of evidence are provided as required by 35 U.S.C. §41.37(c)(ix).

NO.	EVIDENCE	BRIEF STATEMENT SETTING FORTH WHERE IN THE RECORD THE EVIDENCE WAS ENTERED BY THE EXAMINER
1	N/A	N/A

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RELATED PROCEEDINGS APPENDIX

Pursuant to 35 U.S.C. §41.37(c)(x), copies of the following decisions rendered by a court of the Board in any proceeding identified above under 35 U.S.C. §41.37(c)(1)(ii) are enclosed herewith.

NO.	TYPE OF PROCEEDING	REFERENCE NO.	DATE
1	N/A	N/A	N/A



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*AP / Jw*  
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Attorney Docket No. P26829

In re application of: S. KURAMOCHI

**Mail Stop Appeal Brief-Patents**  
 Group Art Unit : 2162

Application No. : 09/970,968

Filed : October 3, 2001

Examiner : J. B. Fleurantin

For : SYSTEM FOR MANAGING OBJECTS BASED ON POSITION DATA

**Mail Stop Appeal Brief-Patents**

Commissioner for Patents  
 U.S. Patent and Trademark Office  
 Customer Service Window  
 Randolph Building  
 401 Dulany Street  
 Alexandria, VA 22314

Sir:

Transmitted herewith is an **Appeal Brief under 37 C.F.R. 41.37** in the above-captioned application.

\_\_\_\_\_ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

\_\_\_\_\_ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

\_\_\_\_\_ An Information Disclosure Statement, PTO Form 1449, and references cited.

\_\_\_\_\_ A Request for Extension of Time.

\_\_\_\_\_ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 20	*20	0	x25=	\$	x 50=	\$0.00
Indep. Claims: 6	**6	0	x100=	\$	x200=	\$ 0.00
Appeal Fee			+250=	\$	+500=	\$ 500.00
Extension Fees for __ Month(s)				\$		\$ 0.00
Total:				\$	Total:	\$500.00

\* If less than 20, write 20

\*\* If less than 3, write 3

X Please charge my Deposit Account No. 09-0457 in the amount of **\$500.00**

N/A A check in the amount of \$\_\_\_\_ to cover the filing/extension fee is included.

X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0457.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Andrew M. Calderon  
 Reg. No. 38,093